

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JACK BENJAMIN,

Petitioner,

-v.-

UNITED STATES OF AMERICA,

Respondent.
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ORDER

17-CR-753 (CS)
19-CV-3575 (CS)

Seibel, J.

Petitioner Jack Benjamin filed a petition under 28 U.S.C. § 2255, (No. 17-CR-753 Doc. 284; No. 19-CV-3575 Doc. 1-2, 11), but has since indicated that he wishes to withdraw it, (No. 17-CR-753 Doc. 343 at 8.) I gave him time to reconsider that request, (No. 17-CR-753 Doc. 346), but he has not withdrawn it. Accordingly, the application is granted and the Petition is dismissed as withdrawn. It was without merit in any event, essentially for the reasons stated by the Government. (No. 17-CR-753 Doc. 330; No. 19-CV-3575 Doc. 16.) The Clerk of Court is respectfully directed to: 1) terminate the pending motions (Docs. 284 and 312 in No. 17-CR-753 and Doc. 9 in No. 19-CV-3575); 2) close case No. 19-CV-3575; and 3) send a copy of this Order to Jack Benjamin, No. 79815-054, FCI Yazoo City Medium, Federal Correctional Institution, P.O. Box 5000, Yazoo City, MS 39194.

SO ORDERED.

Dated: August 18, 2020
White Plains, New York



CATHY SEIBEL, U.S.D.J.